

REMARKS

Claims 3, 18, 20,21,23 24, and 33-45 are pending in the application. Claims 3, 18, 20, 24, and 33-45 stand rejected.

Rejection of claims under 35 U.S.C. §102

Claims 3, 18, 20, 24, and 33-45 stand rejected under 35 U.S.C. §102, as being anticipated by Novartis (EP01100764.8). Applicant has submitted with this Response a certified priority document, NL1017060 filed 9 January 2001, to which the instant application claims priority. The Examiner stated in the Action that “[s]ubmission of the priority document would overcome this rejection since the priority document predates the parent filing of the reference,” and therefore Applicant respectfully requests withdrawal of any rejection based on 35 U.S.C. §102.

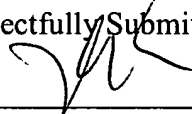
CONCLUSION

In view of the foregoing remarks, Applicant submits that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-832-1000. Should a further extension of time be required other than provided for, Applicant hereby petitions for same and request that the extension fee and any other fee required for timely consideration of this application be charged to Deposit Account, No. 06-1448, Reference BAY-001.01.

Date: March 20, 2006

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Respectfully Submitted,



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